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Attorneys for Plaintiff, Amy Le Tong

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

AMY LE TONG, an individual,)	CASE NO: CV11-04651-EJD
)	
PLAINTIFF,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE CASE
v.)	MANAGEMENT CONFERENCE
)	
AT&T MOBILITY SERVICES LLC, a)	Date: January 20, 2012
Delaware Limited Liability Company; and)	Time: 10:00 a.m.
DOES 1-100, jointly and severally,)	Dept.: Courtroom 1
)	Judge: Honorable Edward J. Davila
DEFENDANTS.)	
_____)	

Pursuant to the Court's October 14, 2011 Order, a Case Management Conference in the above referenced matter was scheduled for January 20, 2012. The Order further required the parties to file a Joint Case Management Conference Statement no later than January 13, 2012. For the reasons set forth below, Plaintiff respectfully requests that the Court continue the Case Management Conference scheduled for January 20, 2012 to March 16, 2012, at 10:00 a.m..

On October 6, 2011, counsel for AT&T Mobility Services LLC ("AT&T Mobility") advised Plaintiff's counsel that none of the four Defendants named in the Complaint were proper parties to this case, and further advised that, based on the allegations of the Complaint, the only entity which should have been named as a Defendant was his client, AT&T Mobility. In reliance on those representations, Plaintiff filed a First Amended Complaint on October 24, 2011, which removed all prior Defendants, and named the new, current, Defendant AT&T Mobility. Said Defendant was subsequently served on November 4, 2011 via Waiver of Service of Summons. On November 15,

2011 Plaintiff received the signed Waiver of Service from Defendant and filed the Proof of Service with the Court. Defendant's answer to the complaint is due on January 3, 2012, and Plaintiff does not anticipate the Defendant will appear until that date.

This case is one of approximately 93 pending cases which Plaintiff's counsel has filed throughout the United States District Courts in California against Defendant AT&T Mobility on behalf of current or former employees based on violations of the Fair Labor Standards Act. Plaintiff's counsel and counsel for Defendant AT&T Mobility have spoken numerous times regarding the legal issues involved in this case (and the other pending AT&T Mobility cases), including anticipated discovery, and are working together to handle these cases in the most efficient, cost-effective manner.

Given that the new Defendant has not yet appeared, is not obligated to appear, and will not appear prior to January 3, 2012, Plaintiff believes that continuing the Case Management Conference until March 16, 2012, would allow the only Defendant's counsel to appear, and provide both parties ample and reasonable time to Meet and Confer and prepare the Joint Case Management Statement. Plaintiff's counsel and Defendant have a conference in two similar matters (Case Nos. CV11-04652-EJD and CV11-05072-EJD) before the court at that time as well. Plaintiff would be happy to discuss this matter at that conference, if the Court finds it most efficient.

NOW, THEREFORE, subject to the Court's approval, Plaintiff, by and through his counsel of record, respectfully asks the following:

1. That the Case Management Conference be continued from January 20, 2012, at 10:00 a.m., to March 16, 2012, at 10:00 a.m.; and
2. That the corresponding deadline to file the Joint Case Management Conference Statement be continued to March 9, 2012.

GREEN BRYANT & FRENCH, LLP

Dated: December 6, 2011

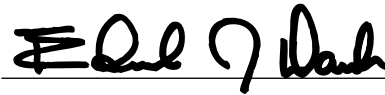
/s/ Joel R. Bryant
 Joel R. Bryant, Esq.
 Jbryant@gbflawyers.com
 Attorney for Plaintiff
 AMY LE TONG

ORDER

IT IS ORDERED THAT:

1. The Case Management Conference is continued from January 20, 2012, at 10:00 a.m., to March 16, 2012;
2. The deadline to file the Joint Case Management Conference Statement is continued from January 13, 2012, to March 9, 2012.

Dated: December 7, 2011



Honorable Edward J. Davila